



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

FEB 28 2017

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-101

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

The Honorable Larry Lovell
Mayor
City of Ririe
P.O. Box 68
Ririe, Idaho 83443

Re: City of Ririe Wastewater Treatment Plant
NPDES Permit Number ID-002617-4

Dear Mayor Lovell:

On November 17, 2003, the U.S. Environmental Protection Agency (EPA) issued a National Pollutant Discharge Elimination System (NPDES) permit to the City of Ririe ("City") for its wastewater treatment plant ("Facility"), NPDES Permit Number ID-002617-4 ("Permit"). The permit became effective on January 1, 2004, and expired on January 1, 2009. Subsequently, EPA administratively extended the permit. The purpose of this letter is to notify you of violations EPA discovered upon review of administrative files, including the Discharge Monitoring Reports (DMRs) submitted by the facility, and in response to the August 29, 2016 inspection of the facility conducted by the Idaho Department of Environmental Quality (IDEQ) on behalf of EPA. The purpose of the inspection was to determine the facility's compliance with the requirements of the Clean Water Act (CWA) and the NPDES Permit. I would like to express my appreciation for your staff's time and cooperation during the inspection.

ADMINISTRATIVE FILE REVIEW

EPA reviewed DMRs from February 2012 through January 2017 and identified effluent limitation exceedances that constitute 168 violations of the CWA, 33 U.S.C. § 1251 *et seq.* A list of these violations is enclosed (Enclosure).

AUGUST 2016 INSPECTION

1. Part II.C of the permit states, in part, "Monitoring must be conducted according to test procedures approved under 40 CFR 136..."

Table II, 40 CFR Part 136 shows a preservation temperature of $\leq 6^{\circ}$ C and a maximum hold time of six hours for *Escherichia coli* (*E. Coli*).

At the time of the inspection, the inspector reviewed laboratory chain of custody documents. The documents for November 5, 2015, show that a sample was collected at 6 a.m. and received by the outside lab at 4 p.m. In addition, the chain of custody documents show that the sample's recorded temperature at receipt by the lab was 10.4° C. This indicates that the sample, when received by the lab, was both beyond its maximum hold time and in excess of established preservation temperature. Failure to properly preserve an effluent sample and deliver it to the lab before the expiration of its maximum hold time are violations of Part II.C of the permit.

2. Part III.E of the permit states, in part, "The permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems."

At the time of the inspection, the inspector noted that the pH buffer solution used to calibrate the pH meter did not have an expiration date. Without knowing when the solution will expire, it would be difficult to determine if the pH meter had been properly calibrated. In addition, the facility could not produce documentation to show when the influent and effluent flow meters had last been calibrated. Without proper calibration of the two meters, the facility could not be confident in its calculations of biochemical oxygen demand (BOD) or total suspended solids (TSS). Failure to properly calibrate the pH meter or the flow meters are violations of Part III.E of the permit.

Although our goal is to ensure NPDES facilities comply fully with their permits, the ultimate responsibility rests with the permittee. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the permit requirements, and other appropriate statutes, and to respond appropriately to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations.

If you have any questions concerning this matter, please do not hesitate to call Raymond Andrews of my staff at (206) 553-4252.

Sincerely,



Edward J. Kowalski
Director

Enclosure

1. Effluent Exceedance Violations

cc: Mr. Tyler Fortunati
Idaho Department of Environmental Quality

Ms. Maria Lopez
Environmental Protection Agency

Mr. Erick Neher
Idaho Department of Environmental Quality

Mr. Jason Freeman
City of Ririe

Enclosure
Effluent Exceedance Violations

Effluent Exceedance Violations

Month	Parameter	DMR Value	Permit Limit	Unit	Limit Type	# Violations
March 31, 2012	BOD, 5-day, 20° C	38.50	30.00	mg/L	Mo Avg	31
March 31, 2012	BOD, 5-day, 20° C	65.00	45.00	mg/L	Wkly Avg	7
March 31, 2012	BOD, 5-day, 20° C	97.80	38.00	lb/d	Mo Avg	31
March 31, 2012	BOD, 5-day, 20° C	174.00	56.00	lb/d	Wkly Avg	7
March 31, 2012	BOD, 5-day, % rmv	57.00	85.00	%	Mn % Rmv	31
November 30, 2015	BOD, 5-day, % rmv	80.00	85.00	%	Mn % Rmv	30
October 31, 2016	BOD, 5-day, % rmv	72.00	85.00	%	Mn % Rmv	31